IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.1581 OF 2007

Eknath Kalu Mhatre
(now confined at Yerawada
Open Prison, Yerawada,
Pune-411 006. .... Petitioner
Vs.
The State of Maharashtra & Ors. .... Respondents

Sarvasri N.N. Gavankar with Arfan Sait
for the Petitioner.

Shri P.S. Hingorani, A.P.P., for the
Respondents.

CORAM: R.M.S. KHANDEPARKAR &
S.R. SATHE, JJ.

DATED: AUGUST 28, 2007

P.C:

1. Perused the affidavit in reply as well as the statement of the doctor. Undisputedly, the wife of the petitioner has undergone operation and she would require some further treatment for some days in the hospital. At the same time, the petitioner has been confined to the open prison for last two-and-half years and his prison record in the Yerawada Open Prison is without any blemish. In these circumstances, we find no justification for refusal of release of the petitioner on parole at least for fifteen days. Accordingly, the petition is allowed in terms of the prayer clause (a), subject to that the parole shall be for a period of

fifteen days. The authorities to comply with this direction within five days. Needless to mention that the period of fifteen days shall commence from the date of the release and the grant of parole shall be subject to regular conditions. The petition accordingly stands disposed of.

2. All concerned to act on the authenticated copy of this order.

(S.R. Sathe, J.) (R.M.S.Khandeparkar, J.)

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